

### **REMARKS**

This responds to the Office Action mailed on April 11, 2008.

Claims 62, 67, and 72 are amended. Claims 2, 14, 25-45, 47, 49, 52-61 remain canceled. Claims 1, 3-13, 15-24, 46, 48, 50, and 51 remain withdrawn. Claims 62-72 are added. As a result, claims 62-72 are now pending in this application.

#### **§102 Rejection of the Claims**

Claims 62, 67 and 72 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Shah et al. (U.S. 6,941,311; hereinafter “Shah”). Applicant has amended these claims to overcome this rejection.

In particular, Applicant respectfully submits that Shah does not disclose the additional elements in the amended claims 62, 67, and 72. Apparently, Shah refers to a system “for calculating metrics by using hierarchical level metadata to describe the various structures within the database.” Shah at Abstract. As cited by the Office Action and as illustrated in Shah at FIG. 10 and related text, “the user can click on a particular dimension 1225 and view metrics calculated for the constraint, as well as the lower levels of the dimension hierarchy.” Shah at col. 11, lines 8-11. However, Shah fails to disclose or describe “identifying a user, wherein the user has a position in an organization,” then “identifying a first node in a product data hierarchy, wherein the first node is assigned to the user based on the position in the organization,” as recited in claim 62 and similarly recited in claims 67 and 72. Moreover, Shah fails to disclose or describe “traversing the product data hierarchy from the first node by a first forecasting depth, wherein the first forecasting depth is assigned to the user based on the organization,” as recited in these claims. Similarly, Shah fails to disclose or describe “identifying a second node in a customer data hierarchy, wherein the second node is assigned to the user based on the position in the organization” and “traversing the customer data hierarchy from the second node by a second forecasting depth, wherein the second forecasting depth is assigned to the user based on the organization,” as recited in these claims.

Thus, because Shah fails to disclose all of the claimed elements in their claimed arrangement, Applicant respectfully requests reconsideration and withdrawal of the basis of rejection of these claims.

§103 Rejection of the Claims

Claims 63-66 and 68-71 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shah, as applied to claims 62 and 67 above, in view of Phillips et al. (U.S. Publication Number 2002/0116348; hereinafter "Phillips"). Applicant respectfully traverses these rejections.

The remaining dependent claims depend from independent claims 62 and 67, respectively, and accordingly incorporate the features of these independent claims. These dependent claims are accordingly believed to be patentable for at least the reasons stated herein. For brevity, Applicant defers (but reserves the right to present) further remarks, such as concerning any dependent claims, which are also believed separately patentable. Thus, Applicant respectfully requests withdrawal of this basis of rejection for these dependent claims.

Question Regarding Public Use or On Sale Activity

The issue of a possible public use or on sale activity was raised by the Office Action. In response, Applicant is filing a 1.131 Declaration to make it clear that the invention described and claimed by Applicant was not in public use or on sale more than one year prior to the date of application for patent in the United States.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6909 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6909

Date October 13, 2008 By Thomas F. Brennan  
Thomas F. Brennan  
Reg. No. 35,075

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 13th day of October, 2008.

Myra Sanders  
Name

[Signature]  
Signature